

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-495-C - ORDER NO. 2004-156

MARCH 26, 2004

IN RE: Application of Cable & Wireless USA, Inc. for)	ORDER CANCELLING
a Certificate of Public Convenience and)	CERTIFICATE
Necessity to Provide interLATA)	
Telecommunications Services in South)	
Carolina.)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the request of Cable & Wireless USA, Inc. (“C&W USA” or the “Company”) to cancel its Certificate of Public Convenience and Necessity to provide interLATA telecommunications in the State of South Carolina. A review of the docket file reveals that C&W USA’s authority to provide intrastate interLATA telecommunications services in South Carolina was granted by Order No. 91-48, dated January 14, 1991, in the name of Cable & Wireless Communications, Inc. Thereafter, by Order No. 93-1020, dated November 3, 1993, the Commission approved a company name change from Cable & Wireless Communications, Inc. to Cable & Wireless, Inc. Lastly, the Commission issued Order No. 98-930, dated December 1, 1998, whereby the Commission again approved a name change of the company. Order No. 98-930 granted the name change of Cable & Wireless, Inc. to the Company’s present name of Cable & Wireless USA, Inc.

By letter dated March 8, 2004, C&W USA, through the Company’s director of domestic regulatory affairs, requests that C&W USA’s Certificate of Public Convenience

and Necessity be cancelled. According to C&W USA, the Company voluntarily filed for reorganization under Chapter 11 Bankruptcy in the US Bankruptcy Court for the District of Delaware on December 8, 2003.¹ C&W USA avers that certain of the Company's assets were purchased through the bankruptcy process and that when the transfer of the assets was completed on March 5, 2004, C&W USA no longer was providing telecommunications services in South Carolina. C&W USA adds that the Company has no customers in South Carolina that will be impacted by this relinquishment, thus there are no customers to notify. Concurrent with cancellation of the Company's Certificate, C&W USA requests that its tariffs also be cancelled.

As C&W USA is no longer providing the services for which its Certificate of Public Convenience and Necessity was granted, the Commission finds and concludes that C&W USA's Certificate of Public Convenience and Necessity to provide intrastate interLATA telecommunications services within the State of South Carolina should be cancelled, and the Company's tariffs should also be cancelled.

IT IS THEREFORE ORDERED THAT:

1. The Certificate of Public Convenience and Necessity to provide intrastate interLATA telecommunications services within the State of South Carolina authorized by Order No. 91-48 and amended by Order Nos. 93-1020 and 98-930, issued in the instant docket to Cable & Wireless USA, Inc., is hereby cancelled.
2. The tariffs of Cable & Wireless USA, Inc. are hereby cancelled.

¹ See In Re: Cable & Wireless USA, Inc., et al., Case No. 03-13711 (GCG) (Bankr.D.DE.)

3. This Order shall remain in full force and effect until further Order of the Commission.

/s/
Mignon L. Clyburn, Chairman

ATTEST:

/s/
Bruce F. Duke, Executive Director

(SEAL)